

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRUSTEES OF MICHIGAN REGIONAL COUNCIL OF CARPENTERS' EMPLOYEE BENEFITS FUND; TRUSTEES OF MICHIGAN REGIONAL COUNCIL OF CARPENTERS' ANNUITY FUND; TRUSTEES OF CARPENTERS' PENSION TRUST FUND - DETROIT AND VICINITY; TRUSTEES OF THE DETROIT CARPENTRY JOINT APPRENTICESHIP AND TRAINING FUND; TRUSTEES OF THE U.B.C. ADVANCEMENT FUND; TRUSTEES OF THE CARPENTER'S WORKING DUES FUND; TRUSTEES OF THE CARPENTER'S SPECIAL ASSESSMENT FUND; THE MICHIGAN REGIONAL COUNCIL OF CARPENTERS, UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA;

Plaintiffs,

and COMERICA BANK,

Intervening Plaintiff,

v.

Case No. 14-cv-11393
Hon. George Caram Steeh

H.B. STUBBS COMPANY, n/k/a H.B. STUBBS COMPANY, L.L.C., a Michigan limited liability company; H.B. STUBBS HOLDINGS, INC., a Michigan corporation; H.B. STUBBS COMPANY, L.L.C. – EAST, a Michigan limited liability company; H.B. STUBBS COMPANY, L.L.C. – WEST, a Michigan limited liability company; H.B. STUBBS PROPERTIES, L.L.C., a Michigan limited liability company; SCOTT STUBBS, an individual; STEPHEN H. STUBBS, an individual and KENNETH W. JACOBSON; an individual, jointly and severally.

Defendants.

NOVARA TESIJA, P.L.L.C.

John I. Tesija (P36709)

Bryan M. Beckerman (P51925)

Attorneys for Plaintiffs

2000 Town Center, Ste. 2370

Southfield, MI 48075

(248) 354-0380

tesija@novaratesija.com

bmb@novaratesija.com

BODMAN PLC

Dennis J. Levasseur (P39778)

Attorneys for Intervening Plaintiff Comerica

6th Floor at Ford Field

1901 St. Antoine

Detroit, MI 48226

(313) 259-7777

dlevasseur@bodmanlaw.com

THE TAUNT LAW FIRM

Erika D. Hart (P67457)

Attorneys for Defendants

700 East Maple Road, Second Floor

Birmingham, MI 48009

(248) 644-7800

ehart@tauntlaw.com

**ORDER DENYING PLAINTIFFS' MOTION FOR EX-PARTE TEMPORARY RESTRAINING
ORDER AND
GRANTING COMERICA BANK'S MOTION TO INTERVENE AS A PLAINTIFF**

These matters having come before this Honorable Court on Plaintiffs' Ex-Parte Motion for Temporary Restraining Order, and Comerica Bank's Motion to Intervene as a Plaintiff, and the Court being fully advised of the premises;

IT IS HEREBY ORDERED that Plaintiffs' Ex-Parte Motion for Temporary Restraining Order is DENIED; and

IT IS FURTHER ORDERED that Comerica Bank's Motion to Intervene as a Plaintiff is GRANTED; and

IT IS FURTHER ORDERED that all Defendants, being H.B. Stubbs Company, n/k/a H.B. Stubbs Company, L.L.C., H.B. Stubbs Holdings, Inc., H.B. Stubbs Company, L.L.C. – East, H.B. Stubbs Company, L.L.C. – West, H.B. Stubbs Properties, L.L.C., Scott Stubbs, Stephen H. Stubbs and Kenneth W. Jacobson, shall, upon reasonable request by Plaintiffs, provide all such records in their possession, custody or control pertaining the sale of assets of the above-mentioned companies.

Notwithstanding, should any of the Defendants fail and/or refuse to submit such records as requested by Plaintiffs, Intervening Plaintiff Comerica Bank shall provide same to Plaintiffs, upon reasonable request by Plaintiffs, if in Comerica Bank's possession, custody or control.

s/George Caram Steeh
U.S. District Judge

Dated: April 25, 2014

Approved as to both Form and Content:

/s/Bryan M. Beckerman

NOVARA TESIJA, P.L.L.C.

John I. Tesija (P36709)

Bryan M. Beckerman (P51925)

Attorneys for Plaintiffs

2000 Town Center, Ste. 2370

Southfield, MI 48075

(248) 354-0380

tesija@novaratesija.com

bmb@novaratesija.com

/s/Dennis J. Levasseur w/permission

BODMAN PLC

Dennis J. Levasseur (P39778)

Attorneys for Intervening Plaintiff Comerica

6th Floor at Ford Field

1901 St. Antoine

Detroit, MI 48226

(313) 259-7777

dlevasseur@bodmanlaw.com

/s/Erika D. Hart w/permission

THE TAUNT LAW FIRM

Erika D. Hart (P67457)

Attorneys for Defendants

700 East Maple Road, Second Floor

Birmingham, MI 48009

(248) 644-7800

ehart@tauntlaw.com